

DAILY DIGEST

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May 23,1997

**Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

NEWS RELEASES

FCC FILINGS. OPA. Internet URL: <https://www.fcc.gov/filings.html>

FCC CALENDAR OF EVENTS. OPA. Internet URL: <https://www.fcc.gov/calendar.html>

MANIA K. BAGHDADI APPOINTED ASSISTANT DIVISION CHIEF (LAW), POLICY AND RULES DIVISION, MASS MEDIA BUREAU. OPA. Internet URL: https://www.fcc.gov/Bureaus/Miscellaneous/News_Releases/1997/nrmc7034.txt

PUBLIC NOTICES

Released: May 23, 1997. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN NON-RESTRICTED PROCEEDINGS. Contact: Barbara Lowe at (202) 418-0310.

Released: May 23, 1997. TARIFF TRANSITTAL PUBLIC REFERENCE LOG - DOMINANT CARRIERS - MAY 22. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Dominant/d052297.pdf

Released: May 23, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - NON-DOMINANT CARRIERS - MAY 22. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/Non-Dominant/nd052297.pdf

Report No: SPB-83. Released: May 23, 1997. SATELLITE POLICY BRANCH INFORMATION: APPLICATIONS ACCEPTED FOR FILING. Internet URL: https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7107.txt

Report No: TEL-84-B. Released: May 23, 1997. NON-STREAMLINED INTERNATIONAL SECTION 214 AND CABLE LANDING LICENSE APPLICATIONS ACCEPTED FOR FILING (FORMAL SECTION 63.18 AND 1.767).

Released: May 23, 1997. APPLICATION FOR ALTERNATIVE SETTLEMENT RATE AGREEMENT UNDER FLEXIBILITY STANDARD ACCEPTED FOR FILING. (DA No. 97-1083). Contact: Ken Stanley, Telecommunications Division, International Bureau, at (202) 418-1486. Internet URL: https://www.fcc.gov/Bureaus/International/Public_Notices/1997/da971083.txt

Report No: 23998C. Released: May 23, 1997. BROADCAST APPLICATIONS. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap970523.txt

Report No: NA-205. Released: May 23, 1997. NOTICE OF ACCEPTANCE OF FM BROADCAST APPLICATIONS AND NOTIFICATION OF JUNE 26 PETITIONS TO DENY DEADLINE. Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Radio_Cutoffs/pnmm7090.txt

Released: May 23, 1997. PUBLIC FORUM ON "SMART ANTENNA" TECHNOLOGY. Forum tentatively scheduled June 16. Those wishing to participate as panelists should contact David Means, OET, at (301) 725-1585 X206, or Lawrence Petak, OET, at (202) 418-2478. Internet URL: https://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1997/pnet7008.txt

Report No: CL-97-59. Released: May 23, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL RADIO SERVICE INFORMATION. Internet URL: https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17131.txt

Report No: LB-97-35. Released: May 23, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS SERVICE INFORMATION. Internet URL: https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/pnw17135.txt

TEXTS

TIME WARNER CABLE. Granted a complaint concerning the cable programming services tier rates charged by Time Warner Cable in Cape Coral, Florida. Found cable programming services tier rates to be unreasonable beginning January 1, 1997. Action by Chief, Cable Services Bureau. Adopted: May 20, 1997. (DA No. 97-1070). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971070.txt>

TIME WARNER CABLE. Granted the complaints against the cable programming service rate charged by Time Warner beginning January 1, 1997, in the communities of Conklin, and Owego, New York. Action by Chief, Cable Services Bureau. Adopted: May 20, 1997. by Order. (DA No. 97-1077). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971077.txt>

TIME WARNER CABLE. Denied complaint filed against Time Warner Cable for rate charged for cable programming service tier beginning January 1, 1997, in Lincoln, Nebraska. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: May 21, 1997. by Order. (DA No. 97-1078). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971078.txt>

TCI CABLEVISION OF NEBRASKA, INC. Denied complaints filed against TCI Cablevision of Nebraska, Inc., concerning its rate increase for cable programming service tier in Grand Island, Nebraska. Action by Chief, Financial Analysis and Compliance Division, Cable Services Bureau. Adopted: May 21, 1997. by Order. (DA No. 97-1080). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da971080.txt>

RENDA BROADCASTING CORP. Denied Renda Broadcasting Corporation's (former licensee of stations WJAS(AM)/WSHH(FM), Pittsburgh, Pennsylvania, request for recision or reduction of forfeiture; imposed forfeiture of \$16,500 for violation of Commission's EEO Rule. Action by the Commission. Adopted: May 7, 1997. by MO&O and Forf. Ord. (FCC No. 97-160). MMB

KIN SHAW WONG. Denied Kin Shaw Wong's petition for reconsideration of Commission's action denying his application for review of a decision by the Chief, Audio Services Division, Mass Media Bureau regarding Wong's applications for extension and modification of construction permit for unbuilt station KPTO(AM), Citrus Heights, California. Action by the Commission. Adopted: May 20, 1997. by MO&O. (FCC No. 97-177). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/fcc97177.txt

OPPORTUNITY, WA. Granted application for assignment of license of KKPL(AM), Opportunity, Washington, from Concrete River Associates, L.P. to QueenB Radio, Inc.; granted conditional waiver of Commission's one-to-

a-market rule. Action by Chief, Mass Media Bureau. Adopted: May 21, 1997. by MO&O. (DA No. 97-1067). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971067.txt

DRIGGS, ID. Effective July 7, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 271A to Driggs, Idaho, as that community's first local aural transmission service; terminated proceeding. Dkt No.: MM- 97-39. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 14, 1997. by R&O. (DA No. 97-1044). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971044.txt

DES ARC, AR. Effective July 7, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 284A to Des Arc, Arkansas, as that community's first local FM transmission service; terminated proceeding. Dkt No.: MM- 97-31. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 14, 1997. by R&O. (DA No. 97-1043). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971043.txt

HOMEDALE, ID. Effective July 7, amended Section 73.202(b) of the Commission's Rules, the Table of FM Allotments, to allot Channel 292C to Homedale, Idaho, as that community's first local aural transmission service; terminated proceeding. Dkt No.: MM- 97-15. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 14, 1997. by R&O. (DA No. 97-1042). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Orders/1997/da971042.txt

IRONTON AND MALDEN, MO. Acted in the matter of requests to: substitute Channel 225C2 for Channel 225C3 at Malden, Missouri, and modify the license of Station KMAL(FM) accordingly; substitute Channel 224A for Channel 225A at Ironton, Missouri; comments due July 14; replies July 29. Dkt No.: MM- 97-136. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 14, 1997. by NPRM & Order. (DA No. 97-1046). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da971046.txt

SPRING GROVE, MN AND OSAGE, IA. Acted in the matter of requests to: substitute Channel 282C3 for Channel 282A at Spring Valley, Minnesota and modify the license of Station KVGO(FM) accordingly; substitute Channel 254A for Channel 279A at Osage, Iowa; comments due July 14; replies July 29. Dkt No.: MM- 97-135. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: May 14, 1997. by NPRM. (DA No. 97-1047). MMB Internet URL: https://www.fcc.gov/Bureaus/Mass_Media/Notices/1997/da971047.txt

ADDENDA: The following items, released May 22, 1997, did not appear in Digest No. 99:

NEWS RELEASES

DAVID N. BAKER APPOINTED TO FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE -- CC DOCKET NO. 96-45 (REPORT NO. CC 97-27, COMMON CARRIER ACTION). The FCC has appointed Commissioner David N. Baker of the Georgia Public Service Commission to serve on the Federal-State Joint Board on Universal Service. Action by the Commission May 22, 1997, by Order (FCC 97-181). News Media Contact: Rochelle Cohen (202) 418-0253. CCB. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/News_Releases/1997/nrcc7038.txt

PUBLIC NOTICES

Released: May 22, 1997. PLEADING CYCLE ESTABLISHED FOR COMMENTS ON REQUESTS FOR CLARIFICATION OF THE COMMISSION'S RULES REGARDING INTERCONNECTION BETWEEN LECS AND PAGING CARRIERS - CCB/CPD 97-24. Comments due June 13; replies June 27. (DA No. 97-1071). Contact: Edward B. Krachmer, Competitive Pricing Division, CCB, at (202) 418-0298. Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da971071.txt

Released: May 22, 1997. FCC'S OFFICE OF COMMUNICATIONS BUSINESS OPPORTUNITIES AND OFFICE OF ENGINEERING AND TECHNOLOGY TO HOST FORUM ON OPPORTUNITIES FOR UNLICENSED SPECTRUM USE. Forum to be held on June 9 from 9:00 -11:00 a.m. in Commission Meeting Room, Room 856, 1919 M Street, N.W., Washington, DC. Contact: OCBO: Maura McGowan at (202) 418-0987; OET: Dr. Lynn Remly at (202) 418-2930; OPA: Stan Felder at (202) 418-0250. Internet URL: https://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1997/pnet7009.txt

SPEECHES

REMARKS BY CHAIRMAN REED HUNDT BEFORE THE UNITED STATES TELEPHONE ASSOCIATION INSIDE WASHINGTON TELECOMUNICATION ROUNDTABLE LUNCHEON, MAY 21, 1997. Internet URL: <https://www.fcc.gov/Speeches/Hundt/spreh725.html>

TEXTS

FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE. Ordered that Commissioner David N. Baker of the Georgia Public Service Commission is appointed to the Federal-State Joint Board in CC Docket No. 96-45. Dkt No.: CC- 96-45. Action by the Commission. Adopted: May 22, 1997. by Order. (FCC No. 97-181).

**IMPLEMENTATION OF SECTION 703 OF THE TELECOMMUNICATIONS ACT OF 1996. Granted to the extent indicated and denied in all other respects the Delmarva Power and Light Request for Clarification and Reconsideration in CS Docket No. 96-166; clarified text of Section of 1.1416(b). Dkt No.: CS- 96-166. Action by the Commission. Adopted: May 20, 1997. by MO&O. (FCC No. 97-173).

MATERIAL TO BE FILED IN SUPPORT OF 1997 ANNUAL ACCESS TARIFF FILINGS FOR PRICE CAP COMPANIES. Directed the price cap local exchange carriers to re-submit by June 2 the tariff review plans that each price cap LEC filed on April 2, 1997, and to incorporate changes to the price cap plan as set forth in the Commission's Price Cap Fourth Report and Order and Access Reform First Report and Order. Action by Chief, Competitive Pricing Division, Common Carrier Bureau. Adopted: May 22, 1997. by Tariff Review Plan. (DA No. 97-1081). CCB Internet URL: https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/da971081.txt

ADDENDA: The following items, released May 21, 1997, did not appear in Digest No. 98:

TEXTS

AMERICAN NETWORK EXCHANGE, INC. V. US WEST COMMUNICATIONS, INC. Granted American Network Exchange, Inc.'s and US WEST Communications, Inc.'s joint motion to dismiss with prejudice complaint of American Network Exchange, Inc. against US WEST Communications, Inc. Action by Chief,

Formal Complaints & Investigations Branch, Enforcement Division, Common Carrier Bureau. Adopted: May 20, 1997. by Order. (DA No. 97-1058). CCB

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The following items are corrections from previous Daily Digests.

Granted a Motion for Reversal of Summary Decision and Grant of Application, filed March 11, 1997, by Southwestern Broadcasting Corporation, renewing Southwestern's license for Station KLZK(FM), Brownfield, Texas.